

- (d) If large scale (e.g., involving 200-1,999 pounds of marihuana/60-599 pounds of hashish/6-59.9 pounds of hash oil), grade as Category Four;
- (e) If medium scale (e.g., involving 50-199 pounds of marihuana/15-59.9 pounds of hashish/1.5-5.9 pounds of hash oil), grade as Category Three;
- (f) If small scale (e.g., involving 10-49 pounds of marihuana/3-14.9 pounds of hashish/.3-1.4 pounds of hash oil), grade as Category Two;
- (g) If very small scale (e.g., involving less than 10 pounds of marihuana/less than 3 pounds of hashish/less than .3 pounds of hash oil), grade as Category One.

912 Simple Possession

Category One.

[[Notes and Procedures. (1) 1 liter of hash(ish) oil in liquid form = 2.2 lbs. of hash oil in solid form. (2) Marihuana offenses are normally graded by bulk quantity. In determining quantity for guideline purposes, all parts of the marihuana plant as seized and weighed in bulk (e.g., from a shipment of marihuana being imported), or as negotiated for sale if no seizure is made, are counted. Occasionally, it may be necessary to estimate the scale of the offense from acreage under cultivation or from the number of plants seized. In the absence of more specific information, use the following minimum estimates. Grade 1 plant as equivalent to attempted production of 1/4 lb. of useable marihuana. Note: In the United States, marihuana is frequently grown interspersed with other crops to disguise the marihuana. In such cases, estimate 500 marihuana plants (125 lbs.) per acre. Where marihuana is the only crop under cultivation (e.g., in certain foreign locations), estimate 4,000 plants (1000 lbs.) per acre.]]

SUBCHAPTER C - COCAINE OFFENSES

921 Distribution or Possession with Intent to Distribute

- (a) If extremely large scale (e.g., involving 15 kilograms or more of 100% purity, or equivalent amount), grade as Category Eight [except as noted in (c) below];
- (b) If very large scale (e.g., involving 5 kilograms but less than 15 kilograms of 100% purity, or equivalent amount), grade as Category Seven [except as noted in (c) below];
- (c) Where the Commission finds that the offender had only a peripheral role*, grade conduct under (a) or (b) as Category Six;
- (d) If large scale (e.g., involving more than 1 kilogram but less than 5 kilograms of 100% purity, or equivalent amount), grade as Category six [except as noted in (e) below];
- (e) Where the Commission finds that the offender had only a peripheral role, grade conduct under (d) as Category Five;
- (f) If medium scale (e.g., involving 100 grams-1 kilogram of 100% purity, or equivalent amount), grade as Category Five;
- (g) If small scale (e.g., involving 5-99 grams of 100% purity, or equivalent amount), grade as Category Four;
- (h) If very small scale (e.g., involving 1.0-4.9 grams of 100% purity, or equivalent amount), grade as Category Three.
- (i) If extremely small scale (e.g., involving less than 1 gram of 100% purity, or equivalent amount), grade as Category Two.

922 Simple Possession

Category One.

*Terms marked by an asterisk are defined in Chapter Thirteen.

Item A: PRIOR CONVICTIONS/ADJUDICATIONS (ADULT OR JUVENILE)	<input type="checkbox"/> 0
None = 3	
One = 2	
Two or Three = 1	
Four or More = 0	
Item B: PRIOR COMMITMENT(S) OF MORE THAN THIRTY DAYS (ADULT OR JUVENILE)	<input type="checkbox"/> 1
None = 2	
One or Two = 1	
Three or More ... = 0	
Item C: AGE AT CURRENT OFFENSE/PRIOR COMMITMENTS	<input type="checkbox"/> 1
Age at commencement of current offense	
26 years or age or more = 2	
20-25 years of age = 1	
19 years of age or less = 0	
***Exception: If five or more prior commitments of more than thirty days (adult or juvenile), place an "X" here _____ and score this item = 0	
Item D: RECENT COMMITMENT FREE PERIOD (THREE YEARS)	<input type="checkbox"/> 0
No prior commitment of more than thirty days (adult or juvenile) or released to the community from last such commitment at least three years prior to the commencement of the current offense = 1	
Otherwise = 0	
Item E: PROBATION/PAROLE/CONFINEMENT/ESCAPE STATUS VIOLATOR THIS TIME	<input type="checkbox"/> 1
Neither on probation, parole, confinement, or escape status at the time of the current offense; nor committed as a probation, parole, confinement, or escape status violator this time = 1	
Otherwise = 0	
Item F: HEROIN/OPIATE DEPENDENCE	<input type="checkbox"/> 1
No history of heroin/opiate dependence ... = 1	
Otherwise = 0	
TOTAL SCORE	<input type="checkbox"/> 4

Note: For purposes of the Salient Factor Score, an instance of criminal behavior resulting in a judicial determination of guilt or an admission of guilt before a judicial body shall be treated as a conviction, even if a conviction is not formally entered.

GUIDELINES FOR DECISION-MAKING

[Guidelines for Decision-Making, Customary Total Time to be Served before Release (including jail time)]

OFFENSE CHARACTERISTICS:		OFFENDER CHARACTERISTICS: Parole Prognosis (Salient Factor Score 1981)			
Severity of Offense Behavior		Very Good (10-8)	Good (7-6)	Fair (5-4)	Poor (3-0)
Category One	<=4 months		Guideline Range <=8 months	8-12 months	12-16 months
Category Two	<=6 months		Guideline Range <=10 months	12-16 months	16-22 months
Category Three	<=10 months		Guideline Range 12-16 months	18-24 months	24-32 months
Category Four	12-18 months		Guideline Range 20-26 months	26-34 months	34-44 months
Category Five	24-36 months		Guideline Range 36-48 months	48-60 months	60-72 months
Category Six	40-52 months		Guideline Range 52-64 months	64-78 months	78-100 months
Category Seven	52-80 months		Guideline Range 64-92 months	78-110 months	100-148 months
Category Eight*	100+ months		Guideline Range 120+ months	150+ months	180+ months

*Note: For Category Eight, no upper limits are specified due to the extreme variability of the cases within this category. For decisions exceeding the lower limit of the applicable guideline category BY MORE THAN 48 MONTHS, the pertinent aggravating case factors considered are to be specified in the reasons given (e.g., that a homicide was premeditated or committed during the course of another felony; or that extreme cruelty or brutality was demonstrated).